

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

CYNTHIA BAUMAN,)	
)	
Plaintiff,)	Case No. 23-cv-435
)	
v.)	
)	The Honorable Judge Edmond Chang
LAW OFFICE OF THE COOK)	
COUNTY PUBLIC DEFENDER, <i>et al.</i> ,)	Magistrate Judge M. David Weisman
Defendants.)	

**AGREED MOTION TO EXTEND DISCOVERY MOTION DEADLINE TO MARCH 18,
2024 FOR ALL PARTIES**

NOW COMES Defendants LAW OFFICE OF THE COOK COUNTY PUBLIC DEFENDER, COOK COUNTY, ANGELA KILPATRICK, CRYSTAL GRAY AND ABIGAIL CLOUGH (collectively “Defendants”), through their attorney Cook County State’s Attorney Kimberly M. Foxx, by one of her Assistant State’s Attorneys, Charles T. Little, and with agreement of counsel for all Parties¹ moves this Honorable Court to extend the deadline to file discovery-related Motions a second time from March 18, 2024 to April 23, 2024 for the following reasons:

1. The Parties make this second request for additional time to continue working to resolve Defendants’ concerns about Plaintiff’s discovery answers and production.
2. On January 11, 2024, Plaintiff was ordered to supplement their document production with certain ESI agreed upon by the Parties as reflected in a Chart filed by the Parties (Dkt. 89, Attachment 1) on or before March 1, 2024. (Dkt. 92). The January 11, 2024 Order also set a February 16, 2024 deadline for discovery related motions.

¹ Defendant Carlos Gonzalez is represented by Assistant States’ Attorney Miguel Larios from the Offices’ Conflicts Unit.

3. On February 13, 2024, Plaintiff, with agreement of all Parties, moved to extend the February 16, 2024 deadline for discovery related motions to March 18, 2024, which was granted. (Dkt. 93-95).

4. On February 13, 2024, the Parties had a Rule 37 conference. Plaintiff agreed to address all concerns raised in Defendants' Rule 37 letter. The Parties further agreed Plaintiff would supplement his answers to Defendants' written discovery accordingly by February 19, 2024. Plaintiff also stated he would do his best to supplement his document production in a manner consistent with agreements reached in this conversation by February 19, 2024. In this conversation, Plaintiff also represented he believed he would still be able to meet the March 1, 2024 deadline set for production of documents reflected in the Chart, which was agreed to by the Parties.

5. Plaintiff provided supplemental discovery answers on February 19, 2024 along with 596 bates-numbered document pages as well as approximately 300 non-bates-numbered documents (text messages originally requested by Defendants).

6. The Parties continued discussions concerning Plaintiff's discovery answers and production in emails between February 29, 2024 and March 6, 2024. Defendants agreed to additional refinements of their document requests in response to concerns raised by Plaintiff in these exchanges. Plaintiff produced approximately 50 additional non-bates-numbered documents in these email exchanges.

7. On March 4, 2024, Plaintiff provided a Declaration from his client explaining her efforts to locate and obtain documents requested by Defendants. This Declaration was agreed upon by the Parties in the Chart (Dkt. 89, Attachment 1).

8. Thereafter, Plaintiff produced an additional 141 bates-numbered pages on or around March 6, 2024.

9. Plaintiff's rolling, supplemental document productions failed to designate if they responsive to Defendants' original discovery responses, the concerns raised in Defendants Rule 37 letter or the Chart. Defendants have done their best to correlate Plaintiff's rolling, supplemental documents productions with their Requests, Letter and/or the Chart.

10. On March 8, 2024, although their review was ongoing, Defendants requested a follow up conversation with Plaintiff to discuss continued concerns about his discovery answers and production. Defendants requested this meeting to attempt to comply with the Court-ordered March 16, 2024 deadline for discovery-related motion. At Plaintiff's request, Defendants outlined these concerns in an email later that same day. The Parties agreed to discuss these concerns in the afternoon of March 14, 2024.

11. On March 13, 2024, Plaintiff notified Defendants he needed additional time to continue working on his discovery answers and production, requesting to move their discussions to March 15, 2024. Thereafter, the Parties agreed to ask the Court to move the deadline for discovery related motion by approximately one month and continue their attempts to resolve these issues prior to seeking intervention of the Court.

12. Plaintiff supplemented discovery answers and production on March 14 and 15, 2024. Plaintiff also recently supplemented his production with a download purporting to contain his clients Facebook account. The Parties have tentatively scheduled a follow-up conversation to discuss these supplements and attempt to iron out any remaining issues for the morning of March 21, 2024.

13. Plaintiff is still working to obtain medical records for his client from the Lawyer's Assistance Program. As part of these ongoing discovery discussions, Plaintiff also identified two additional medical treaters. Defendants will be issuing subpoenas for these records shortly. The Parties anticipate additional time will be needed both to obtain certain documents needed by both parties and to reach as many agreements as possible concerning Plaintiff's discovery production prior to seeking intervention from this Court.

14. FRCP 26(b) allows the Court to grant extension of time for good cause. The facts stated in this Motion establish good cause. Defendants also state that they do not bring this motion for an improper purpose.

CONCLUSION

For the foregoing reasons, the Parties respectfully request that this Honorable Court grant this Motion and extend the discovery motion deadline from March 18, 2024 until April 23, 2024.

Respectfully submitted,
KIMBERLY M. FOXX
State's Attorney of Cook County
By: /s/ Charles T. Little
Charles T. Little
Assistant State's Attorney
Labor and Employment Section
Cook County State's Attorney's Office
500 Richard J. Daley Center
Chicago, IL 60602
Telephone: (312) 603-3373
charles.little@cookcountysao.org

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on March 15, 2024, he caused to be served the foregoing Agreed Motion to Move Discovery Motion Deadline on all counsel of

record for Defendants via this Court's CM/ECF electronic filing system, and that all such counsels are registered e-filers.

/s/ Charles T. Little
